

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	MBD No. 14-91063
)	
v.)	
)	
ZEXIONG CHEN,)	
HAOTIAN CHEN,)	
)	
Defendants)	

**THIRD JOINT MOTION TO EXTEND TIME TO INDICT
TO JUNE 18, 2014**

The parties jointly ask this Court to extend the 30-day period for indictment set out in 18 U.S.C. § 3161(b), which is due to expire on May 19, 2014, for another 30 days, until June 18, 2014. This is the third motion to extend time to indict in this case.

Zexiong Chen was arrested based on probable cause in the Eastern District of New York on February 19, 2014, and both he and Haotian Chen were charged by complaint in this district on February 20. That complaint, No. 14-6053-LTS, charges both defendants with conspiracy (18 U.S.C. § 371) and trafficking in counterfeit goods (18 U.S.C. § 2320). Haotian Chen made his initial appearance in this district on February 21, 2014, and was released on conditions. Zexiong Chen appeared in this district on March 19 and agreed to detention. Both defendants have waived the preliminary hearing.

The parties jointly ask the Court to extend the period for indictment because they are continuing to work diligently to determine whether a pre-indictment resolution of this case is possible. To that end, the government is continuing its production of pre-indictment discovery, and defense counsel are reviewing that material. The parties are working to see whether they can agree on the facts necessary for the Guideline calculation in a plea agreement, but this has

proven challenging because there are both legal and factual issues involved in determining how to value, for Guidelines purposes, the allegedly counterfeit goods that are at issue in this case. The parties therefore need additional time to work through these issues.

For these reasons, the parties ask the Court to find, under 18 U.S.C. § 3161(h)(7)(A), that the ends of justice served by this continuance outweigh the defendants' and public's interest in a speedy trial.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that this pleading will be filed and served on all parties via ECF.

/s/ Adam Bookbinder

Dated: May 16, 2014